

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BRYAN LEE STETSON,

Plaintiff,

v.

WASHINGTON DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

CASE NO. C15-5524 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 26), and Plaintiff Bryan Stetson’s (“Stetson”) filings (Dkts. 27, 28).

On September 16, 2015, Stetson filed a 42 U.S.C. § 1983 complaint against Defendants Washington State Department of Corrections, Bernard Warner, and Kathryn Bruner (“Defendants”). Dkt. 8. Stetson is currently incarcerated at the Stafford Creek Corrections Center (“SCCC”). *Id.* ¶ 3. On October 29, 2015, Stetson moved for a preliminary injunction. Dkt. 19. Stetson seeks to prevent Defendants from transferring him to another facility so that he may continue using the SCCC law library to litigate this

1 case. *Id.* Stetson was not scheduled to be transferred, a transfer hold was in effect
2 through December 31, 2015, and Stetson could obtain an extension of that hold by
3 working with his SCCC Counselor, Jodie Wright (“Wright”). Dkt. 26 at 2–3. On
4 November 24, 2015, Judge Strombom issued the R&R recommending the Court deny
5 Stetson’s motion. *Id.* at 1.

6 On December 23, 2015, Stetson filed a copy of his letter to Wright requesting an
7 institutional hold to use the law library past December 31, 2015. Dkt. 27. On December
8 31, 2015, Stetson filed a copy of Wright’s response to his kite. Dkt. 28. Wright’s
9 response confirms that Stetson has a hold to use the law library until July 30, 2016. *Id.* at
10 2.

11 The Court has reviewed Stetson’s filings, and it appears the filings resolve
12 Stetson’s request for a preliminary injunction. Even if the Court were to construe
13 Stetson’s filings as objections to the R&R, nothing in his filings demonstrates that Judge
14 Strombom’s recommendation is in error. *See* Fed. R. Civ. P. 72(b)(3). Therefore, the
15 Court having considered the R&R, Stetson’s filings, and the remaining record, does
16 hereby find and order as follows:

- 17 (1) The R&R is **ADOPTED**; and
18 (2) Stetson’s motion for preliminary injunction (Dkt. 19) is **DENIED**.

19 Dated this 11th day of January, 2016.

20 
21 BENJAMIN H. SETTLE
22 United States District Judge